

when determining the economic benefits of projects that benefit disadvantaged communities.

**SA 2448.** Mr. DAINES submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2153, line 6, insert “satellites,” after “fiber.”

**SA 2449.** Mr. DAINES submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1799, strike line 13 and all that follows through page 1800, line 10, and insert the following:

(15) \$300,000,000 shall be made available for post-fire restoration activities that are implemented not later than 3 years after the date that a wildland fire is contained, of which—

(A) \$125,000,000 shall be made available to the Secretary of the Interior; and

(B) \$175,000,000 shall be made available to the Secretary of Agriculture;

On page 1800, line 11, strike “(17)” and insert “(16)”.

On page 1800, line 17, strike “(18)” and insert “(17)”.

On page 1816, strike lines 1 through 12 and insert the following:

(2) \$300,000,000 shall be made available to provide to States and Indian Tribes for implementing restoration projects on Federal land pursuant to good neighbor agreements entered into under section 8206 of the Agricultural Act of 2014 (16 U.S.C. 2113a) or agreements entered into under section 2(b) of the Tribal Forest Protection Act of 2004 (25 U.S.C. 3115a(b)), of which—

(A) \$60,000,000 shall be made available to the Secretary of the Interior; and

(B) \$240,000,000 shall be made available to the Secretary of Agriculture;

On page 2568, line 12, strike “\$905,000,000” and insert “\$925,000,000”.

On page 2568, line 15, strike “\$337,000,000” and insert “\$341,000,000”.

On page 2568, line 17, strike “\$142,000,000” and insert “\$146,000,000”.

On page 2568, line 18, strike “\$142,000,000” and insert “\$146,000,000”.

On page 2568, line 20, strike “\$142,000,000” and insert “\$146,000,000”.

On page 2568, line 22, strike “\$142,000,000” and insert “\$146,000,000”.

On page 2570, line 19, strike “\$1,055,000,000” and insert “\$980,000,000”.

On page 2570, line 23, strike “\$327,000,000” and insert “\$312,000,000”.

On page 2570, line 25, strike “\$182,000,000” and insert “\$167,000,000”.

On page 2608, line 17, strike “\$2,115,000,000” and insert “\$2,095,000,000”.

On page 2608, line 21, strike “\$587,000,000” and insert “\$583,000,000”.

On page 2608, line 23, strike “\$382,000,000” and insert “\$378,000,000”.

On page 2613, line 18, strike “\$696,200,000” and insert “\$771,200,000”.

On page 2613, line 23, strike “\$552,200,000” and insert “\$567,200,000”.

On page 2613, line 24, strike “\$36,000,000” and insert “\$51,000,000”.

On page 2614, line 1, strike \$36,000,000 and insert “\$51,000,000”.

On page 2614, line 3, strike “\$36,000,000” and insert “\$51,000,000”.

On page 2614, line 4, strike “\$36,000,000” and insert “\$51,000,000”.

**SA 2450.** Mr. BARRASSO (for himself, Mr. TESTER, Mr. DAINES, Mr. THUNE, and Mr. CRAMER) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title I of division A, add the following:

**SEC. 112. EXEMPTIONS FOR LOW POPULATION DENSITY STATES.**

Section 150 of title 23, United States Code, is amended by adding at the end the following:

“(f) EXEMPTIONS FOR LOW POPULATION DENSITY STATES.—

“(1) IN GENERAL.—The Secretary shall grant, on the election of and in consultation with a State, an exemption from 1 or more of the requirements described in paragraph (2)(A) if the State—

“(A) is on the list of eligible States under paragraph (5) for the applicable performance period; and

“(B) provides a written notice of the election that includes an explanation under paragraph (4)(A).

“(2) REQUIREMENTS DESCRIBED.—

“(A) STATE REQUIREMENTS.—The requirements from which a State described in paragraph (1) may elect an exemption are—

“(i) requirements established under subclauses (IV) and (V) of subsection (c)(3)(A)(ii);

“(ii) requirements established under subsection (c)(5)(A);

“(iii) requirements established under subsection (c)(6); and

“(iv) targeting, data, reporting, or administrative requirements established under subsections (d) and (e) that are related to a requirement described in clause (i), (ii), or (iii) from which the State elects to receive an exemption.

“(B) METROPOLITAN PLANNING ORGANIZATION REQUIREMENTS.—A metropolitan planning organization with a metropolitan planning area that is located entirely within a State that is exempt shall be exempt from the requirements under section 134(h)(2)(B) that relate to each measure described in subparagraph (A) from which the State of the metropolitan planning organization is exempt.

“(3) TERM.—An exemption applied under paragraph (1) —

“(A) shall be in effect until the date that is 4 years after the date on which the performance period promulgated by the Secretary under subsection (d) in effect at the time the exemption is applied ends; and

“(B) may be renewed by the State for an additional 4-year term at the end of each performance period if, in accordance with paragraph (4)—

“(i) the State submits another written explanation; and

“(ii) the State continues to be included on the list of eligible States under paragraph (5).

“(4) NOTIFICATION OF ELECTION OF EXEMPTION.—

“(A) IN GENERAL.—To be eligible to make an election under paragraph (1), not later than September 1 of the calendar year preceding the calendar year in which the next performance period promulgated by the Secretary under subsection (d) begins, a State described in that paragraph—

“(i) shall submit to the Secretary—

“(I) identification of the 1 or more requirements described in paragraph (2)(A) for which an exemption is elected; and

“(II) a written notice that includes an explanation advising the Secretary that the State is not experiencing significant performance issues on the surface transportation system of the State with respect to each requirement referred to in subclause (I); and

“(ii) may submit to the Secretary any other information or material that the State chooses to include in the notice.

“(B) SPECIAL RULE.—Notwithstanding the deadline described in subparagraph (A), a State described in paragraph (1) may submit a notice under subparagraph (A) at any time before September 1, 2022.

“(5) ELIGIBLE STATES.—

“(A) IN GENERAL.—Not later than 60 days after the date of enactment of this subsection and thereafter, on each September 1 of the calendar year 2 years prior to the calendar year in which the next performance period promulgated by the Secretary under subsection (d) begins, the Secretary shall publish a list of States that may elect to receive an exemption from a requirement described in paragraph (2)(A).

“(B) INCLUSIONS.—The Secretary shall include on the list under subparagraph (A)—

“(i) any State that—

“(I) has a population per square mile of area that is less than the population per square mile of area of the United States, based on the latest available Bureau of the Census data at the time the Secretary publishes the list;

“(II) does not include an urbanized area with a population of over 200,000 within the State; and

“(III) has no repeated delays or other persistent impediments to travel reliability on the portions of the National Highway System in the State that the Secretary determines to be excessive; and

“(ii) based on the latest available Bureau of the Census data at the time the Secretary publishes the list, any State that—

“(I) has a population density of less than 15 persons per square mile of area; and

“(II) does not include an urbanized area with a population of over 200,000.

“(6) NATIONAL REPORTING.—

“(A) ELIGIBLE STATES.—For each State included on the list of eligible States under paragraph (5), the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the status of traffic congestion, travel reliability, truck travel reliability, and any other relevant performance metrics on the portions of the National Highway System in the State, including any delays or impediments that the Secretary determines to be excessive.

“(B) EXEMPT STATES.—For each eligible State under paragraph (5) that elects to receive an exemption under paragraph (1), the Secretary shall—

“(i) submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the results of performance measures for all exemptions applied to that State under this subsection; and

“(ii) make publicly available as part of the State performance dashboard on the Department of Transportation website information on the performance of the State with respect to any requirements from which the State is exempt.”.

**SA 2451.** Mr. MORAN (for himself, Mrs. MURRAY, and Mr. INHOFE) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. ANNUITY SUPPLEMENT.**

Section 8421a(c) of title 5, United States Code, is amended—

(1) by striking “as an air traffic” and inserting the following: “as an—

“(1) air traffic”;

(2) in paragraph (1), as so designated, by striking the period at the end and inserting “; or”;

(3) by adding at the end the following:

“(2) air traffic controller pursuant to a contract made with the Secretary of Transportation under section 47124 of title 49.”.

**SA 2452.** Mr. JOHNSON (for himself, Ms. BALDWIN, and Ms. ERNST) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title I of division A, insert the following:

**SEC. 111 \_\_\_\_\_. STOP MOTORCYCLE CHECKPOINT FUNDING.**

Section 4007 of the FAST Act (23 U.S.C. 153 note; Public Law 114-94) is amended—

(1) in paragraph (1), by striking “or” at the end;

(2) in paragraph (2), by striking the period at the end and inserting “; or”;

(3) by adding at the end the following:

“(3) otherwise to profile or stop any motorcycle operator or motorcycle passenger using as a factor the clothing or mode of transportation of the operator or passengers.”.

**SA 2453.** Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA

(for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

In section 40121(b)(1) of subtitle B of title I of division D, in the matter preceding subparagraph (A), insert “to develop and organize, based on the recommendations of the National Infrastructure Advisory Council and the Cyberspace Solarium Commission, a pilot Critical Infrastructure Command Center or Joint Collaboration Environment to facilitate and enable public-private partnerships to carry out relevant functions, including” after “carry out a program”.

**SA 2454.** Mrs. FEINSTEIN (for herself and Mr. PADILLA) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 30005 in division C, add the following:

(c) FEDERAL SHARE ADJUSTMENTS.—

(1) IN GENERAL.—In addition to amounts made available under section 5338 of title 49, United States Code, there are authorized to be appropriated for fiscal year 2022 such sums as are necessary to increase the Federal share, at the request of a project sponsor, of a new fixed guideway capital project, a core capacity improvement project, or a small start project (as those terms are defined in section 5309(a) of that title) that—

(A) is not open to revenue service; and

(B) has received an allocation of funding in any of fiscal years 2019, 2020, and 2021.

(2) CRITERIA.—In allocating amounts made available under paragraph (1) to projects described in that subsection, the Secretary of Transportation shall take into consideration the extent to which a project sponsor demonstrates a need for a higher Federal share, including the extent to which—

(A) the project sponsor made a local financial commitment that exceeded 20 percent of the cost of the project; and

(B) the project sponsor has experienced, as a result of the public health emergency declared by the Secretary of Health and Human Services under section 319 of the Public Health Service Act (42 U.S.C. 247d) on January 31, 2020, with respect to COVID-19, a loss of revenue that would otherwise be used by the project sponsor to provide the non-Federal share for the project.

(3) ADJUSTMENT.—Notwithstanding any other provision of law, if the project sponsor of a project described in subsection (a) meets 1 or both of the criteria described in subsection (b), the Secretary of Transportation shall increase the Federal share of the project by not more than 30 percent, up to a maximum of Federal share of 80 percent.

(4) AMOUNT.—Amounts made available under this section shall be provided to a project described in subsection (a) notwithstanding the limitation of any calculation of the maximum amount of Federal financial assistance that may be provided to that project.

**SA 2455.** Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2699, between lines 19 and 20, insert the following:

SEC. 804. (a) FAA OUTREACH TO COMMUNITY AND ELECTED OFFICIALS WHEN PROPOSING NEW OR MODIFIED FLIGHT PROCEDURES.—In order to avoid having to subsequently modify products and services developed as a part of the NextGen Performance Based Navigation (PBN) Implementation Process—FAA Order JO7100.41A, the Administrator of the Federal Aviation Administration shall comply with the requirements of this section.

(b) NOTIFICATION TO OFFICIALS.—The Administrator shall notify the public of any proposed new PBN flight procedure or flight procedure change affecting airspace at altitudes below 18,000 feet. This notification shall be made not later than 30 days after the date of the entry of the procedure into the FAA Performance Based Navigation IFP Gateway to the elected governing body of each of the cities and counties within 5 miles of such a proposed new or modified flight procedure, to any Member of Congress whose district is within 5 miles of such a proposed new or modified flight procedure, and to any Aviation Roundtable whose jurisdictional area is within 5 miles of such a proposed new or modified flight procedure.

(c) NOTIFICATION CONTENTS.—Notification shall be made with sufficient specificity for an official to determine if such new or modified flight procedure being processed is likely to affect constituents of such official and shall include—

(1) name of flight procedure;

(2) name of the proponent of the flight procedure;

(3) whether the flight procedure is a new or modified procedure and, if modified, the changes being proposed;

(4) name of existing procedure if the procedure substantially replaces an existing procedure;

(5) approximate flight path including latitude and longitude of the proposed procedure overlaid on a satellite map such as Google Earth or similar;

(6) approximate altitudes of proposed flight path; and

(7) contact person to provide additional information.

(d) DEFINITIONS.—In this section, the following definitions apply:

(1) AVIATION ROUNDTABLE.—The term “Aviation Roundtable” means an organization designed to address community concerns over a sustained period of time regarding aircraft operations often associated with a nearby airport.

(2) FAA ORDER JO7100.41A.—The term “FAA Order JO7100.41A” means FAA Order JO7100.41A and any other successor versions of such Order.

(3) FLIGHT PROCEDURE.—The term “flight procedure” means a preplanned Instrument Flight Rules (IFR) procedure published for pilot use, in graphic or textual format, that provides obstruction clearance from the terminal area to the en route structure (departure) or from the en route structure to the terminal area (arrival).

(4) IFP.—The term “IFP” means instrument flight procedure.